{In Archive} Re: The City & its Indicator BacT Problem

Philip Woods to: Sara Roser

Sent by: Philip Woods

Archive:

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Is June merely looking for help in saying NO to the C and C? It seems clear that they need to improve their source control program and/or their treatment. They might still avoid secondary treatment if they took their 301(h) problems seriously.instead of putting on their "denial" posture.

Sara Roser

Sara Roser

To: Philip Woods/R9/USEPA/US@EPA

06/24/2004 12:34 PM

Subject: Re: The City & its Indicator BacT Problem

FYI, here's the letter from June.

---- Forwarded by Sara Roser/R9/USEPA/US on 06/24/2004 12:34 PM -----



Robyn Stuber

To: Sara Roser/R9/USEPA/US@EPA

06/22/2004 02:14 PM

cc: Joann Cola/R9/USEPA/US@EPA

Subject: Re: The City & its Indicator BacT Problem

Hi Sara. In partial answer to June's question . . . , 40 CFR 125.62(d) requires that 301(h) discharges: (1) meet WQS relative to recreational activities at the boundary of the Zone of Initial Dilution, and (2) will not cause legal restrictions on activities that would be lifted or modified if the 301(h) discharge was updated to secondary treatment. (See section "III.E. Impacts of Discharge on Recreational Activities [40 CFR 125.62(d)]" at http://www.epa.gov/owow/oceans/regulatory/sec301tech/3e.html.)

Also, please note that 301(h) regs. define *Zone of Initial Dilution* as the region of initial mixing surrounding the outfall diffuser structure, provided that the ZID is not larger than allowed by "mixing zone restrictions" in State WQS. (See 40 CFR 125.58(dd).)

Given all this, it might be best for DOH to look at the type(s) of REC restrictions appropriate to impose at outfalls discharging secondary treated effluent. If HI's 301(h) discharges would not meet the REC restrictions for HI secondary discharges, it would be a problem for the 301(h) waiver.

Sara Roser

Sara Roser

To: Robyn Stuber/R9/USEPA/US@EPA, Joann Cola/R9/USEPA/US@EPA

06/24/2004 01:34 PM

06/22/2004 07:38 AM

Subject: The City & its Indicator BacT Problem

FYI

---- Forwarded by Sara Roser/R9/USEPA/US on 06/22/2004 07:37 AM -----



June Harrigan - EPO <jharrigan@eha.health. state.hi.us>

To: Sara Roser/R9/USEPA/US@EPA

cc: lklau@mail.health.state.hi.us, jkhasega@mail.health.state.hi.us

Subject: The City & its Indicator BacT Problem

06/14/2004 02:15 PM

Aloha, Sara: Larry and I met with our colleagues from the City&County

of Honolulu Wastewater Management section and discussed possibilities for meeting the required bacterial WQS more than 1000 feet from shore. The City suggested placing "no full body-contact with water") restrictions around its ZIDs and maybe part of the ZOMs for its WWTPs discharging to coastal surface waters, with exceptions for boat traffic and properly trained research divers. The bacterial WQS within these zones would be set at some higher level (what level?), and not have to meet the new federal WQS of 35 CFU over the discharge sites.

This is how the City proposes to reduce its disinfection costs. Would you/EPA approve this type of restriction on coastal recreational water uses to accommodate a wastewater discharge (which under the CWA cannot be a designated use)?

FYI - The City is still concerned about its dieldrin/chlordane load, and will be working with a toxicologist to determine if the post-discharge water concentration presents an ecological or public health risk.

Please let me know when you have a copy of the prosed rule-making. Thanks, June/EPO

June Harrigan/HIDOH/EPO



{In Archive} Re: Draft letter to Larry Lau 🗎

Doug Eberhardt to: Sara Roser

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06/23/2004 12:04 PM

My revised version as we discussed



llauBEACHbact2.wpd

Sara Roser

Sara Roser

To: Doug Eberhardt/R9/USEPA/US@EPA

06/23/2004 08:22 AM

Subject: Draft letter to Larry Lau



Doug, Here are a few additions to John's letter: llauBEACHbact2.wpd

I included the points you summarized yesterday:

1. Studies about growth of e. coli and enterococcus are not conclusive

2. EPA continues to recommend use of sanitary surveys to determine sources of high counts

3. Alternative indicators must be based on epidemiological studies

4. EPA's 1986 criteria are based on epi studies which demonstrated a correlation between human illness and indicator concentration.

---- Forwarded by Sara Roser/R9/USEPA/US on 06/23/2004 08:15 AM -----

John Kemmerer

To: Sara Roser/R9/USEPA/US@EPA, Doug Eberhardt/R9/USEPA/US@EPA

06/22/2004 08:39 AM

Subject: Draft letter to Larry Lau

Here's my draft, for you to insert text on our position:



llauBEACHbact.wpc

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June 23, 2004

Lawrence Lau Deputy Director, Environmental Health Administration Hawaii Department of Health 1250 Punchbowl Street, 3rd Floor Honolulu, HI 96813

re: BEACH Act Water Quality Standards

Dear Mr. Lau:

During our grant negotiations last month, we discussed water quality standards for the protection of coastal recreational waters under the Beaches Environmental and Coastal Health Act (BEACH Act). As you know, the BEACH Act required States to adopt standards as protective as EPA's bacteria criteria by April 10, 2004. As noted in the April 19, 2004 letter to you from EPA Assistant Administrator Benjamin Grumbles, EPA intends to initiate rulemaking to establish water quality criteria, consistent with values contained in *Ambient Water Quality Criteria for Bacteria-1986*, for Hawaii and other states which have not adopted standards for all coastal recreational waters. Current plans are for EPA to propose standards for Hawaii by June 30, 2004.

During our grant negotiations, you raised concerns that Hawaii has with the use of enterococcus or *E. coli* as indicator species to measure bacterial water quality in Hawaii. Epidemiological studies conducted by EPA provided the basis for these indicators. In EPA's studies, enterococci and *E. coli* showed the strongest correlations to gastroenteritis rates among swimmers, while other organisms showed very weak correlations.

As you are aware, there have been extensive communications between our offices over the years on this issue. As examples, I am enclosing some of the correspondence that has been exchanged between EPA Region 9 and HDOH on the selection of an appropriate indicator species. I am also enclosing a January, 1999 briefing paper prepared by Region 9, in consultation with HDOH, for your predecessor, Gary Gill.

We understand the concerns that have been raised by HDOH regarding the potential sources of these indicator bacteria in tropical waters. For this reason, EPA funded the expert workshop held in Honolulu in March 2001 to discuss the application of enterococci and *E. coli* to tropical recreational waters. EPA believes the evidence presented in the workshop was not sufficiently compelling to change its recommendation for states to use EPA's criteria to ensure protection of their tropical recreational waters. Moreover, we are not aware of any field studies that

demonstrate that high levels of enterococci and *E. coli* are occurring in Hawaii waters as a result of natural sources. We continue to encourage HDOH to conduct sanitary surveys to determine sources of fecal contamination when routine monitoring using enterococci results in high indicator counts.

States may adopt other indicators in place of enterococci or *E. coli* provided the alternative is proven through epidemiological studies to be as protective as EPA's criteria. However, EPA is not aware of any epidemiological studies in Hawaii showing a correlation between alternative indicators and health impacts. In the absence of such studies, there is not a sufficient basis for alternative indicators for Hawaii. Alternative indicators may, however, be useful adjuncts to standards based on enterococci and *E. coli*, including their use as tracers to assist in the sanitary survey process. While alternatives to enterococcus and *E. coli* may be developed in the future, without epidemiological studies showing a correlation between alternative indicators and health impacts, we are unable to approve standards that rely on these alternatives.

During our recent discussions, you expressed interest in having an opportunity to discuss this issue further with a senior representative from EPA-HQ. If you'd like, I would be glad to set up a conference call involving policy makers in EPA-HQ to review EPA's perspectives on these standards. It's our recommendation that such a call be held after the BEACH Act standards are proposed, so that EPA's rationale for the newly proposed standard is clear.

Please let me know your preference for communication with EPA-HQ regarding standards to be established under the BEACH Act.

Sincerely,

John Kemmerer, Associate Director Water Division

Enclosures

cc: June Harrigan, HDOH

June 23, 2004

Lawrence Lau
Deputy Director, Environmental Health Administration
Hawaii Department of Health
1250 Punchbowl Street, 3rd Floor
Honolulu, HI 96813

re: BEACH Act Water Quality Standards

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As you are aware, there have been extensive communications between our offices over the years on this issue. As examples, I am attaching some of the correspondence that has been exchanged between EPA Region 9 and HDOH on the selection of an appropriate indicator species. I am also attaching a January, 1999 briefing paper prepared by Region 9, in consultation with HDOH, for your predecessor, Gary Gill. We understand the concerns that have been raised by HDOH regarding the potential sources of these indicator bacteria in tropical waters. For this reason, EPA funded the expert workshop held in Honolulu in March 2001 to discuss the application of enterococci and *E. coli* to tropical recreational waters. EPA believes the evidence presented in the workshop was not sufficiently compelling to change its recommendation for states to use EPA's criteria to ensure protection of their tropical recreational waters. Our conclusion has been that w While alternatives to enterococcus and *E. coli* may be developed in the future, without epidemiological studies showing a correlation between alternative indicators and health

impacts, we are unable to approve standards that rely on these alternatives. States may adopt other indicators in place of enterococci or *E. coli* provided the alternate is proven through epidemiological studies to be as protective as EPA's criteria. We continue to encourage HDOH to conduct sanitary surveys to determine sources of fecal contamination when routine monitoring using enterococci results in high indicator counts. The State can also use additional indicators as tracers to assist in this process.

During our recent discussions, you expressed interest in having an opportunity to discuss this issue further with a senior representative from EPA-HQ. If you'd like, I would be glad to set up a conference call involving policy makers in EPA-HQ to review EPA's perspectives on these standards. It's our recommendation that such a call be held after the BEACH Act standards are proposed, so that EPA's rationale for the newly proposed standard is clear.

Please let me know your preference for communication with EPA-HQ regarding standards to be established under the BEACH Act.

Sincerely,

John Kemmerer, Associate Director Water Division

cc: June Harrigan, HDOH

June 22, 2004

Lawrence Lau
Deputy Director, Environmental Health Administration
Hawaii Department of Health
1250 Punchbowl Street, 3rd Floor
Honolulu, HI 96813

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Sincerely,

John Kemmerer, Associate Director Water Division

cc: June Harrigan, HDOH